

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JOSEPH D. LENTO, ESQ., an individual,
and LENTO LAW FIRM, LLC, a limited
liability company,

Plaintiffs,

v.

KEITH ALTMAN, ESQ., an individual,

THE LAW OFFICE OF KEITH ALTMAN,
PLLC, a/k/a “K ALTMAN LAW”, a limited
liability company, ARI KRESCH, an
individual, RICHARD GILL, an individual,
JOHN DOES 1-10, fictitious individuals, and
ABC BUSINESS ENTITIES 1-10, fictitious
entities,

Defendants.

Civil Action No.: 1:22-cv-04840-RBK-EAP

**PLAINTIFFS’ MOTION FOR
AN EXTENSION OF TIME
TO RESPOND TO DEFENDANTS’
MOTIONS TO DISMISS**

COME NOW the Plaintiffs, JOSEPH D. LENTO, ESQ. and LENTO LAW FIRM, LLC, (“Plaintiffs”), and move this Honorable Court for an extension of time to answer both pending Motions to Dismiss filed by Defendants on November 14, 2022. In support of said Motion for an Extension of Time (“Motion”), the Plaintiffs state as follows:

1. On November 14, 2022, Defendants filed a motion to dismiss all counts against Defendant ARI KRESH. and Defendant RICHARD GILL. (Document 26) The Brief in Support of that motion is thirty-one pages long. (Document 26-1)

2. On November 14, 2022, Defendants also filed a motion to dismiss all counts against Defendant KEITH ALTMAN, ESQ. and Defendant THE LAW OFFICE OF KEITH ALTMAN,

PLLC. (Document 27) The Brief in Support of that motion is forty-four pages long. (Document 27-1)

3. The return date for both motions is currently December 19, 2022, meaning that Plaintiffs' opposition papers are currently due on December 5, 2022.

4. Plaintiffs require at least 30 days of additional time to respond to these motions, due to their length and the complexity and numerosity of the legal arguments raised in them. While the Court denied Defendants' request to file briefs in excess of twenty-five pages, Plaintiffs cannot ignore, and thereby potentially concede, the points raised in the portions of Defendants' briefs which exceed the permitted twenty-five pages. (Documents 24 & 25)

5. Additionally, since both motions were filed on the same day, Plaintiffs' opposition papers to both motions are due simultaneously, so it will take twice as much work to oppose both motions as it would take to oppose a single motion to dismiss in the same period of time. The Thanksgiving holiday also falls during the current period in which Plaintiffs would need to draft their opposition papers, further reducing the time Plaintiffs can spend opposing each motion.

6. Furthermore, Attorney for Plaintiffs, Samuel D. Jackson, Esq., has five other New Jersey Superior Court matters which are scheduled for trial in the month of December.¹ It is not expected that all five cases will be tried; however, all of these matters still require significant preparation, and at least three of them are expected to proceed. Therefore, an automatic extension of one cycle, pursuant to L.Civ.R. 7.1(d)(5) (which moves the return date to January 3, 2023, and requires Plaintiffs opposition papers to be submitted by December 20, 2022), would not be

¹ Navatto, et al. v. Brenna-Cellini Funeral Home, et al., MER-L-2512-18; Devyn Hill v. May Funeral Homes, et al., CAM-L-4058-17; Randells, et al. v. Boyd Funeral Home, et al., CAM-L-003705-20; Jackson v. Jackson, FM-06-298-21; and Johnson v. Hanini, Inc., et al., MID-L-6059-20.

sufficient, as Plaintiffs' counsel will be unable to adequately oppose the pending motions in the midst of trying (or preparing to try) the other cases in which he is the designated trial counsel.

7. Plaintiffs previously provided Defendants with an additional 60 days to respond to the Complaint, which Defendants used to draft both of these lengthy motions. (Documents 18, 19, 20, & 21)

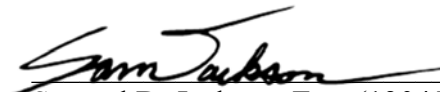
8. On November 15, 2022, in response to Plaintiffs' request for additional time, Defendants consented to a 30-day adjournment of both of their pending motions to dismiss and indicated that they would not be opposing this Motion for an extension of time.

9. Based on the Court's published motion schedule, a 30-day adjournment would cause the pending motions to be returnable on **January 17, 2023**, with Plaintiffs' opposition papers due by January 3, 2023, and any reply papers due by January 10, 2023.²

WHEREFORE, for the foregoing reasons, Plaintiffs respectfully request that their time to file opposition papers to both of Defendants pending motions to dismiss be extended until at least January 3, 2023; that the time for Defendants to file any reply papers to same be extended until at least January 10, 2023; and that the return dates of said motions be extended until at least January 17, 2023; together with such other and further relief as this Court deems just and proper.

Dated: November 16, 2022

Respectfully submitted,


Samuel D. Jackson, Esq. (130452017)
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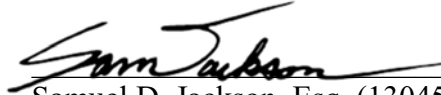
² <https://www.njd.uscourts.gov/sites/njd/files/2023Motions.pdf>

CERTIFICATE OF SERVICE

The undersigned attorney for Plaintiffs hereby certifies that a true and correct copy of the foregoing document has been electronically filed and is available for viewing and downloading from the ECF system in accordance with the local Federal Rules of Civil Procedure.

Dated: November 16, 2022

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sam Jackson", is written over a horizontal line.

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